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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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01/15/2004

Volker Haag

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4251

21186

7590

12/14/2006

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EXAMINER

LEVI, DAMEON E

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,966

Applicant(s)

HAAG ET AL.

Examiner

Dameon E. Levi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/14/2006(Amendment).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Blatti US Patent 6396690.

Regarding claim 1, Blatti discloses an assembly comprising:

a frame (element 61,33 Figs 2-6)having front and rear frame strips(element 35, Figs 2-6); and guide rails(element 37,87 Figs 2-6) that are positioned between the front frame strip and the rear frame strip and aligned in the direction of insertion for the mounting of a circuit board of a plug-in module, wherein the guide rails, in cross section, are formed in a u-shape (element 37, Figs 2-6)and include a bottom and two sidewalls(elements 41,43, Figs 2-6), at least one of the sidewalls having at least one lateral bulge(element 45,46, Figs 2-6) oriented in a direction from an inside of the guide rails to an outside, the bulge (element 45,46, Figs 2-6) of the at least one sidewall corresponding with at least one electrically conductive contact area at a lower edge of the circuit board(element 65,71, Figs 2-6) when the circuit board is completely inserted.

Regarding claim 2, Blatti discloses wherein both sidewalls of the guide rail each have at least one bulge(element 45,46, Figs 2-6).

Regarding claim 3, Blatti discloses wherein the bulges are positioned in pairs

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opposite each other(element 45,46, Figs 2-6).

Regarding claim 4, Blatti discloses wherein a distance between the sidewalls of 1 guide rail corresponds with a thickness of the circuit board (elements 37, 65 Figs 2-6).

Regarding claim 5, Blatti discloses wherein the sidewalls are separated from the bottom of the guide rail in the area of the at least one bulge so that a slit-like opening is created (element 45,46, Figs 2-6).

Regarding claim 6, Blatti discloses wherein a junction between the at least one sidewall and the at least one bulge is slanted or rounded(element 45,46, Figs 2-6).

Regarding claim 7, Blatti discloses an assembly comprising:

a frame(element 61,33 Figs 2-6); and one or more guide rails(element 37, Figs 2-6)

attached to the frame and adapted to hold a circuit board,

each guide rail having a bottom and a pair of sidewalls(elements 37,41,43, Figs 2-6), at least one of the pair of sidewalls having at least one lateral bulge(element 45,46, Figs 2-6) oriented in a direction from an inside of the guide rails to an outside.

Regarding claim 8, Blatti discloses wherein the at least one bulge of the at least one sidewall (element 45,46, Figs 2-6) corresponds with at least one contact area at a lower edge of a circuit board(element 65,71 Figs 2-6).

Regarding claim 9, Blatti discloses wherein the one or more guide rails are aligned in the direction of insertion for the mounting of the circuit board(elements 37, 65,71 Figs 2-6).

Regarding claim 10, Blatti discloses wherein both sidewalls of the guide rail each have at least one bulge(element 45,46, Figs 2-6).

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Regarding claim 11, Blatti discloses wherein the bulges are positioned in pairs opposite each other(element 45,46, Figs 2-6).

Regarding claim 12, Blatti discloses wherein a distance between the sidewalls of the guide rail corresponds with a thickness of the circuit board (elements 37, 65 Figs 2-6).

Response to Arguments

Applicant's arguments filed 09/14/2006 have been fully considered but they are not persuasive. In response to Applicant's Argument that the prior art does not show at least one lateral bulge oriented from an inside of the guide rails to an outside, the Office directs the Applicants to Blatti, at column 2, lines 37-40 which states in part,"The width of slot 44 is greater on each end 45, and along its mid portion 46, than at the pair of interstices 47".Accordingly, this is seen by the Office as meeting the limitation of a bulge since one portion of the guide rail is wider than the other portion.

In Response to Applicant's Argument that the prior art does not include "the bulge of the at least one sidewall corresponding with at least one electrically conductive contact area at a lower edge of the circuit board when the circuit board is completely inserted," as recited in claim 1. In response, the Office takes the position that this limitation suggests of a future situation or intended use of when the circuit board is completely inserted and is not seen as a positive structural limitation.

For the reasons above this rejection is maintained by the Office.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dameon E. Levi whose telephone number is (571) 272-2105. The examiner can normally be reached on Mon.-Thurs. (9:00 - 5:00) IFP, Fridays Telework.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DEL

Therese
Tuan Dinh
12-11-06

Dameon E Levi
Examiner
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